

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:5833
ANSWERED ON:10.04.2017
Protection of Rights of Migrant Workers
Mahendran Shri C.

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Government proposes necessary legal and policy framework to protect the interests of the migrants in the country;
- (b) if so, the details thereof;
- (c) whether it is a fact that the migrant population makes substantial contribution to economic growth and so it is necessary to secure their constitutional rights;
- (d) if so, the details thereof;
- (e) whether the Government also proposes to use the Construction Workers Welfare Cess Fund to promote rental housing, working women hostels etc. for the benefit of migrants; and
- (f) if so, the details thereof?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) & (b): A legal framework to protect migrant workers in the country was put in place with the enactment of the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979. The Task Force constituted for amendment of Labour Laws concerning women and children, had inter-alia, recommended that the title 'Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979' may be changed as 'Inter-State Migrant Workers (Regulation of Employment and Condition of Service) Act, 1979' in order to make it gender neutral. Government decided to

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explore the option for amendments in the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 through executive order. However, it was later decided that four Codes will be formulated which will cover all the existing Legislations on Labour. It is proposed to incorporate the above mentioned recommendations with respect to migrant workers in the Code on Occupational Safety, Health and Working Conditions (OSH).

(c) & (d): Yes, Madam. The Government has enacted the Unorganized Workers Social Security Act, 2008 to provide for the welfare of unorganized workers on matters relating to : life and disability cover, health and maternity benefit; old age protection and any other benefit as may be determined. The Rashtriya Swasthya Bima Yojana (RSBY) provide health insurance coverage for certain categories of unorganized workers which includes migrant workers. Beside, the Government has launched various schemes such as Atal Pension Yojana, Pradhan Mantri Jeevan Jyoti Bima Yojana and Pradhan Mantri Suraksha Bima Yojana for all citizens especially targeting unorganized workers.

(e) & (f): The Government has enacted the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the Building and other Construction Workers' Welfare Cess Act, 1996 to regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures.

The State Building and other construction Workers' Welfare Boards of the respective states have formulated welfare schemes to provide benefits to building and other construction workers as mandated under Section 22 of the Act. The Government has issued specific directions under Section 60 of the Act to promote rental housing vide its order No.Z-20011/05/2015-BL dated 5th August 2015, that the State Government /UTs should create rental housing stocks for workers as a Welfare measure.
